

# Notice of Allowability

Application No.

10/529,402

Examiner

Tamiko Toyé

Applicant(s)

BURFOOT, DEAN

Art Unit

1797

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed on March 26, 2005.
2. ☒ The allowed claim(s) is/are 1, 2 and 4-12.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Allowable Subject Matter***

Claims 1 - 2 and 4 -12 are allowed.

The following is an examiner's statement of reasons for allowance: No prior art of record discloses a sterile air trolley comprising a plurality of air outlets in its upper region, and enclosing an impeller [[means]] operative to move air in through the at least one inlet, through a filter [[means]] and out of the casing by way of the outlets, the upper region of the casing providing a substantially horizontal work surface, the work surface [[has]] having an upstanding boundary wall extending around its perimeter whereby the work surface and boundary wall form a tray, the boundary wall being hollow and extending fully around the perimeter of the work surface whereby the filtered air is directed into the boundary wall and is emitted through air outlets in the boundary wall facing inwardly of the boundary wall over the work surface from opposing sides, forming a continuously replenished rising layer of filtered air over the work surface in combination with the other claimed features in instant claim 1.

The closest prior art Howorth (US 4,531,956) discloses a sterile air trolley comprising a mobile casing having one or more inlets in its lower region and a plurality of air outlets in its upper region and enclosing impeller means operative to move air in through said inlet or inlets, through filter means and out of the casing by way of the outlets (Col. 1, Lines 31-48). However, it does not disclose that feature as in instant

claim 1 above. Therefore, the instant invention is novel and unobvious over the prior art of record.

No prior art discloses a sterile air trolley having a sterile air cabinet comprising a casing having at least one air inlet in its lower region and a plurality of air outlets in its upper region, and enclosing an impeller [[means]] operative to move air in through the at least one inlet, through filter means and out of the casing by way of the outlets, the upper region of the casing providing a substantially horizontal work surface, the work surface [[has]] having an upstanding boundary wall extending fully around its perimeter whereby the work surface and boundary wall form a tray, the boundary wall being hollow whereby the filtered air is directed into the boundary wall and is emitted through air outlets in the boundary wall facing inwardly of the boundary wall over the work surface from opposing sides, forming a continuously replenished rising layer of filtered air over the work surface.

The closet prior art Howorth (US 4,531,956) discloses an impeller in the form of a motor driven fan (Col. 2, Lines 17-20). However, it does not disclose that feature as in instant claim 12. Therefore, the instant invention is novel and unobvious over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 1797

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamiko Toye whose telephone number is 571-270-3238. The examiner can normally be reached on 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Walter Griffin can be reached on 571-272-1447. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TT

DUANE SMITH  
PRIMARY EXAMINER

*D. Smith*  
10-29-07